

R E M A R K S

Claims **182 – 225** are pending in the present application. Of these pending claims, only claims **182, 192, 193, 194, 203, 204, 205, 224, and 225** are independent. No claim has been cancelled, withdrawn, added, or amended herein.

I. Telephone Interview

Applicants thank Examiner for extending the courtesy of a telephone interview on July 23, 2003. Discussed during the interview was claim 182 and Chang. Applicants argued that Chang does not teach or suggest the feature of “determining, based on a response [of a remote viewer to an image of a remote location], a status of the remote location” because Chang relies on pre-filtering and prioritizing of images by an image content processor to determine the status of a remote location before the image is ever presented to the operator, while Applicants’ claimed system relies on a response of a remote viewer to an image of a remote location to determine the status of the remote location. This argument is expanded upon in more detail below. Applicants gratefully acknowledge Examiner’s agreement that the claims do not need to be amended in order to overcome Chang, based on this argument.

II. Section 102 Rejections

Claims **182 – 191, 194 – 202, and 205 – 223** stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,538,689 B1 to Chang (“Chang” herein). Applicants respectfully traverse this rejection for the reasons set forth below.

A. Independent Claims 182, 194, and 205**A.1. Features of claims 182, 194, 205 not in Chang**

Independent claims **182, 194, and 205** generally each recite the following set of features (or a substantially similar set of features), which are not taught or suggested by Chang:

- *providing the image [of a remote location] to a remote viewer of the remote location;*

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- *determining a response of the remote viewer to the image; and*
- *determining, based on the response, a status of the remote location*

In other words, Chang does not disclose determining a status of a remote location based on any response of a person viewing the remote location, much less that such a determination of a status of a remote location is performed by the same entity that provided the image to the remote viewer and after the viewer provides a response to the image. In Chang, the system pre-filters images and prioritizes them such that only the images that are pre-filtered and assigned a sufficiently high priority are presented to the operator. The system in Chang, after presenting the prioritized image to the operator, does not subsequently determine any status of the remote location based on any response to the image received from the viewer. In contrast, in Applicants' claimed system, the system relies on the response of the remote viewer to determine a status of the remote location. Thus, in Applicants' claimed system, after the image is presented to the remote viewer, the system determines the remote viewer's response to the image and determines a status of the remote location based on that response of the remote viewer. Again, in Chang the system automatically determines a priority of an image before the image is ever presented to the operator and no further priority or status of the image is determined by the system after the image is presented to the operator, based on any response of the operator or otherwise.

A.2 The Claimed Features not in Chang are Advantageous

Relying on a remote viewer to provide a response that is used to determine a status of a remote location is advantageous because it is inherently more reliable than relying solely on an automated image processor to make such a determination, without any input from a human viewer.

A.3 Chang Teaches Away From the Claimed Features

Chang discloses a multi-residence security system with centralized image content processing, where the image processor analyzes and prioritizes images and the person monitoring

the locations is presented with the images after they have been analyzed and prioritized. No further determination of a priority of an image or any status of a remote location is performed by the system of Chang after the prioritized image is presented to the person monitoring the remote location, based on a response of the person presented with the image or otherwise. The centralized image content processing feature is emphasized as a very integral feature of Chang, as greatly improving the cost-effectiveness of the system by increasing the number of sites that a single operator can monitor (*see, at least, abstract*). Chang discloses that the efficiency and cost-effectiveness is realized due to the image processor performing the function of determining whether something suspicious is going on at the remote location, rather than having a person monitoring the remote site do so. Thus, an image processor analyzes and prioritizes the images from the remote cameras in the Chang system and presents the highest priority images to the person monitoring the sites of the images. The image processor, and not any person monitoring the remote location, decides whether there is something suspicious going on at a site (*e.g., unexpected movement, sound, etc.*).

A.4 Chang could not be modified appropriately

Further, it would not be an obvious modification of Chang to have the person monitoring the remote location to determine a status of the remote location because Chang teaches away from relying on a person monitoring a remote location to provide any input or other response to determine the status of the remote location. Chang repeatedly emphasizes that such a system would be inefficient and not cost-effective because it would require too many operators to monitor each remote location, apparently taking the position that requiring a lot of personnel is a very undesirable characteristic of a monitoring system. Chang discloses that it is desirable to minimize the number of persons monitoring remote locations and to maximize the number of remote locations that each person can monitor.

In order to accomplish these goals, having the image processor perform the analysis and prioritization of images in order to determine whether something suspicious is going on is an integral feature of Chang. Once it is determined in Chang, by the image processor, that there is something potentially suspicious going on at a site (*i.e., an image of the site is given a relatively high priority*), the person responsible for monitoring the site is alerted to this. However, Chang

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does not disclose that the person presented with the image, once provided with the image, provides any response to the image that is used for any purpose by the system. The person presented with the image may merely communicate with any person present at the site. Importantly, Chang does not disclose that the system determines any status of the site based on any response provided by the person monitoring the site, as is claimed. Other than allowing the person monitoring the site to communicate with any person on the site, Change does not disclose any further determination about the remote location once the person monitoring the site is presented with a prioritized image. Accordingly, Chang does not disclose determining a status of a remote location based on a response of a remote viewer.

In summary, Chang does not disclose any further determinations of the status of the remote location or whether something suspicious is going on at a remote location by the system (*i.e.*, the same entity that provided the image to the remote viewer) once the remote viewer is notified of the prioritized image, based on any responses of a remote viewer to the image. In other words, the priority of an image of the remote location has already been determined by the image processor in order to determine whether the image should be presented to a remote viewer. No further priority or any status of a remote location is determined by the Chang system based on any response that the viewer may provide. In Chang, based on the lack of disclosure of any further action by the system after the prioritized image is presented to the viewer, the system's role ends once the remote viewer is notified of the prioritized image. Since Chang does not disclose each of the features of claim 182, Applicants respectfully request that the rejection of claim 182 be withdrawn.

A.5 Additional Feature of Claim 205 not in Chang

In addition to the above-discussed set of features, independent claim 205 also recites the feature of "querying the first viewer to determine whether the first viewer perceives in the first image an apparent impairment of the security of the remote location". Chang does not teach or disclose querying the operator about the image. Chang merely teaches presenting an image on a screen of the operator if the priority assigned to the image is sufficiently high. Chang does not

enable any query being presented to the operator, much less how a response to a query might be handled.

A.6 Passages of Chang of concern to Examiner do not anticipate any of claims 182, 194 and 205

During the telephone interview of July 23, 2003, Examiner expressed concern that the passage of Chang on col. 6, lines 47 – 55, discussing the prevention of “false alarms” may be relevant to the pending claims. As Applicants’ representative pointed out during the interview, however, this passage describes how a homeowner may help to prevent false alarms by notifying the system if the home owner is about to engage in activity in a certain area of the remote location so that the system will know that the detection of activity in the image is not an indication that something suspicious is going on at the remote location or will turn off cameras in the area where the home owner is about to engage in activity. This prevention of false alarms is not relevant to the pending claims. Also discussed was the passage of Chang on col. 6, lines 56 – 65, which discusses how an operator may adjust filtering parameters so that fewer or more images are shown to the operator. As Applicants’ representative pointed out during the interview, this passage describes how the system may be controlled as to how it prioritizes images and determines which images should be presented to the operator. This passage does not concern any response that an operator may have to an image, since it concerns a process that occurs before an image is ever presented to an operator (a process of adjusting how the system determines which images to present to the operator in the future).

In the Office Action mailed June 20, 2003, Examiner pointed to Col. 5, lines 1 – 5 as support for the assertion that Chang discloses the claimed features of “determining a response of a remote viewer” and “determining, based on the response, a status of the remote location”. Applicants respectfully disagree that this, or any other, passage of Chang discloses these claimed feature. The passage cited by Examiner discloses how the image content processor analyzes images to determine a priority to assign to the images. The passage does not describe any process performed by a remote viewer, much less a response of a remote viewer.

Applicants note that even if it is argued that in Chang the status of the remote location is further determined after the prioritized image is presented to the person monitoring the remote

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location, in such an interpretation it is the remote viewer who determines such a further status of the remote location after viewing the image, by deciding whether to open a communication link to a person at the remote site. It is not the system or image processor in Chang that determines a status of the location after the image is presented to the person monitoring the remote location. It should be noted that Applicants do not support such an interpretation, because there is no disclosure of the remote viewer making a determination of a status of the location in Chang. However, even if such an interpretation were adopted, this interpretation of Chang still does not anticipate claims **182, 194, and 205** because claims **182, 194, and 205** recite that the same entity that provides the image of the remote location also (i) determines the response to the image of the remote viewer, and (ii) determines the status of the location based on that response of the remote viewer. In Chang, the system provides the image of the remote location to a remote viewer (after the image has been prioritized with a sufficiently high priority by the image processor). The *most* that can be argued is that the remote viewer then determines the status of the remote location when deciding whether to open a communication link to the remote location. Importantly, there is no disclosure in Chang that the same entity that provided the image of the remote location to the remote viewer (*i.e.*, the system) then determines a status of the remote location based on any response or image of the remote viewer.

B. Dependent Claims 183 – 191, 195 – 202, and 206 - 223

Each of the dependent claims **183 – 191** are dependent from claim **182** and thus include each of the features of claim **182**. Each of dependent claims **195 – 202** are dependent from claim **194** and thus include each of the features of claim **194**. Each of dependent claims **206 – 223** are dependent from claim **205** and thus include each of the features of claim **205**. Accordingly, each of claims **183 – 191, 195 – 202, and 206 – 223** include each of the limitations of claim **182, 194, and 205**, respectively, and are thus patentable for at least the same reasons as discussed with respect to claim **182, 194, and 205**.

Applicants note that claims **213** and **218** recite “querying [a] second viewer to determine whether the second viewer perceives” in the first image (claim **213**) or in the second image (claim **218**) “an apparent impairment of the security of the remote location”. Claim **217** recites “forwarding [a] second image to the first viewer...” and “querying the first viewer to determine

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whether the first viewer perceives in the second image an apparent impairment of the security of the remote location.” In each of these claims **213, 217, and 218**, the recited steps are performed if the response of the first viewer indicates that the first viewer does perceive an apparent impairment of the security of the remote location (claim **205**). Thus, if the first viewer’s response indicates an impairment of a security of a remote location, either the first image or another image is forwarded to a second viewer (e.g., for confirmation of the apparent impairment of the security of the remote location). Chang does not teach or suggest such a double-check of a first viewer’s response.

Chang does not teach or suggest forwarding the same image to more than one remote viewer, much less doing so based on a response to the image by a first viewer (as is claimed in claim **213**). Chang also does not teach or suggest forwarding a second image of the same remote location, based on a response of a first viewer, to a second viewer. In fact, Chang does not teach or suggest forwarding a second image of the remote location to even the same first viewer (claim **217**), much less a second viewer (claim **218**), based on a response to a first image of the remote location by the first viewer.

III. Section 103 Rejections

Claims **192 – 193** (Examiner indicated claims **191 – 192** but, based on the reasoning in support of the rejection, Applicants assume Examiner meant to indicate claims **192 – 193**; Applicants request that Examiner correct Applicants’ assumption if it is in correct), **203 – 204, and 224 – 225** stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chang in view of U.S. Patent No. 6,476,858 B1 to Ramirez Diaz et al. (“Ramirez-Diaz” herein). Applicants respectfully traverse this rejection for the reasons set forth below.

Ramirez-Diaz does not qualify as prior art against the present application. Ramirez-Diaz was filed August 12, 1999 and does not claim priority from any earlier-filed application. The present Application was filed December 28, 1998. This is nearly eight months before the filing date of the present Application. Accordingly, Ramirez-Diaz does not qualify as prior art and Applicants respectfully request that the rejection based thereon be withdrawn.

Applicants note that even if Ramirez-Diaz did qualify as prior art, Ramirez-Diaz also does not teach the set of features discussed with respect to claims **182, 194, and 205** above.

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Conclusion

For the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Magdalena M. Fincham at telephone number 203-461-7041 or via electronic mail at mfincham@walkerdigital.com.

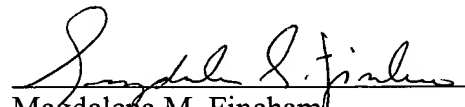
Petition for Extension of Time to Respond

Applicants do not believe any fee or extension of time is necessary with this Response. However, if a fee should be due, please charge any fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

July 24, 2003
Date


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